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Frank C. Eisenschenk

Frank C. Eisenschenk, Ph.D., Patent Attorney

SUBMISSION OF SUBSTITUTE
DECLARATION AND POWER OF
ATTORNEY

Examining Group 1614

Patent Application

Docket No. MET-016XDT

Serial No. 10/780,948

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1614
Applicants : Mark D. Erion, Paul D. van Poelje
Serial No. : 10/780,948
Filed : February 17, 2004
Conf. No. : 2285
For : Combination of FBPase Inhibitors and Insulin Sensitizers for the Treatment of Diabetes

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF SUBSTITUTE DECLARATION AND POWER OF ATTORNEY

Sir:

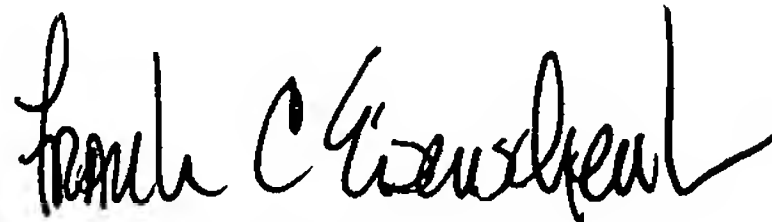
Transmitted herewith for filing in connection with the above-identified patent application is a substitute Declaration (37 CFR 1.63) for Utility Application Using an Application Data Sheet (37 CFR 1.76) and Power of Attorney and Statement Under 37 CFR 3.73(b), along with an Application Data Sheet. The Declaration and Power of Attorney document originally filed in the subject application was a copy from parent application Serial No. 09/470,649, now U.S. Patent No. 6,756,360. An inadvertent typographical error was noted in the filing date of provisional application Serial No. 60/114,718 listed on the original Declaration and Power of Attorney for which priority was claimed under 35 USC §119(e). The filing date of the provisional application has been corrected to reflect December 24, 1998. A copy of the Filing Receipt for provisional application

Serial No. 60/114,718 showing the filing date of December 24, 1997, and as listed on the Application Data Sheet, is attached.

Applicants respectfully request that the substitute Declaration and Power of Attorney be entered and made of record in the subject application and that an indication of the entry of these papers be transmitted to the undersigned by way of a Corrected Filing Receipt.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,



Frank C. Eisenschenk, Ph.D.

Patent Attorney

Registration No. 38,261

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: P.O. Box 142950

Gainesville, FL 32614-2950

FCE/sl

Attachments: Executed Declaration for Utility Application Using Application Data Sheet
Executed Power of Attorney and Statement Under 37 CFR 3.73(b)
Application Data Sheet
Copy of Filing Receipt for provisional application Serial No. 60/114/718